

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

JOHN TURNER,

Plaintiff,

VS.

HIGH DESERT STATE PRISON, *et al.*,

Defendants.

Case No. 2:13-cv-01740-JAD-VCF

ORDER

Before the court is John Turner's Motion Requesting Issuance of a Summons (#52). Defendants filed an opposition (#62); and Turner replied (#67). Turner's motion is denied.

On September 23, 2013, Turner commenced this action against High Desert State Prison, Nevada Department of Corrections, Nevada Inmate Bank System, and the State of Nevada. (*See* Doc. #1). On January 10, 2014, the court screened Turner's complaint and permitted his action to proceed because the underlying transaction or occurrence is actionable. (Order (#14) at 3:18–22) (ordering Turner's complaint to be filed because inmates have a protected right to the funds in their inmate accounts). Now, Turner moves the court to issues summons for the following unnamed Defendants: Dwight Neven, Gregory Cox, and Dawn Rosenberg.

Federal Rule of Civil Procedure 4(a) governs summonses. Rule 4(a)(1)(B) states that a summons “must be directed to the defendant.” Here, Dwight Neven, Gregory Cox, and Dawn Rosenberg are not defendants because they are not named in the complaint. Therefore, Turner’s Motion Requesting Issuance of a Summons is denied.

ACCORDINGLY, and for good cause shown,

IT IS ORDERED that Turner's Motion Requesting Issuance of a Summons (#52) is DENIED.

1 IT IS SO ORDERED.
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DATED this 11th day of August, 2014.



CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE